

4/5/10 - Monday, April 5, 2010

**CITY OF EAU CLAIRE
PLAN COMMISSION MINUTES**

Meeting of April 5, 2010

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. FitzGerald, Kayser, Duax, Kaiser, Seymour, Klinkhammer, Pearson, Hibbard

Staff Present: Messrs. Tufte, Reiter, Genskow, Amundson, Fieber

The meeting was chaired by Mr. Kaiser.

**1. REZONING (Z-1463-10) “ TR-1A to R-3P and C-2P, Prairie Park
and
PRELIMINARY CONDO PLAT (P-2-10) “ Prairie Park
and
SITE PLAN (SP-1001) “ Phase 1, Prairie Park**

Mr. Hibbard left the commission.

Mr. Kaiser stated that two public hearings had been held by the Plan Commission on February 15, and March 15, and he did not feel it advantageous to reopen public discussion. The majority of the Plan Commission agreed. There is a pending motion to recommend approval of the request from Mr. Klinkhammer, seconded by Mr. Kayser. Consideration of the motion had been postponed twice by the Plan Commission.

Mr. Duax stated that he had looked for more dialogue between the developer and the neighbors on the proposal and to review the possible time schedules for the phases.

Mr. Rooney, applicant, responded that only Phase I is sure at this time. The following phases may occur at any order depending on the market. He added that the overall proposed density meets the minimums as laid out in the Comprehensive Plan for multi-family development.

Mr. Kaiser called for the vote on the motion to recommend approval. The motion carried. Commissioners Duax, Kayser and FitzGerald voted no. Mr. Hibbard abstained.

2. REZONING (Z-1466-10) “ C-3P to R-3P, Carson Park Apartments

Mr. Hibbard joined the commission.

Mr. Tufte reported that the applicant has submitted a letter requesting withdrawal of this item from consideration.

Mr. Kaiser opened the public hearing and no one appeared for comment.

Mr. Duax moved to recommend withdrawal of consideration as requested. Mr. FitzGerald seconded and the motion carried.

3. ANNEXATION (10-3A) “ 5551 E. Hamilton Avenue, Town of Washington

Mr. Reiter presented a petition from Richard and Karol Machmeier, as owners of 5551 E. Hamilton Avenue, to annex to the City. City utilities are available to their property from Ridgeway Drive.

Karol Machmeier, petitioner, spoke in support.

Mr. Fitzgerald moved to recommend annexation. Mr. Kayser seconded and the motion carried. Mr. Hibbard abstained.

4. CERTIFIED SURVEY MAP (CSM-2-10) “ Messiah Lutheran Church Property

Messiah Lutheran Church has requested approval of a Certified Survey Map (CSM) which creates 3 lots with access via a private drive at 2015 N. Hastings Way. The church presently has a parsonage on their property and own a second home which is accessed from Harrison Street. The proposed 3-lot CSM will include the existing parsonage and two new lots. The second home on Harrison Street would be moved to a new lot and the former lot may be used for church expansion. Utilities are within the proposed private roadway which will need to be dedicated to the City through an easement. Mr. Tufte noted a concern with approving a private drive as access to these 3 lots arises only if the church is no longer present in the future or desires to sell the homes. The commission discussed several options to proceed.

Tim Noeldner, 3627 Gold Ridge Road, spoke in support for the church. He reviewed the history of the development of the church property and the homes are to be used by pastors and teachers at the school. The church would prefer to sign an agreement with the City should the properties be sold. A portion of the private drive will remain an outlot that can be dedicated in the future should there

be a need.

Mr. Duax stated that it appears only a 2-lot CSM is necessary now and moved to approve a 2-lot CSM with the conditions listed in the staff report, including that an agreement be prepared with the City should the lots be sold. Mr. Klinkhammer seconded and the motion carried. Messrs. Seymour and FitzGerald voted no.

5. GENERAL SITE DEVELOPMENT PLAN (PZ-1003) “ Carson Park Maintenance Building

Mr. Fieber presented a site plan for a new maintenance facility to be located in Carson Park. The 35TM x 54TM building will be located off the west end of the softball field parking lot. A 5TM wide trail will be maintained to the north of the building. Storage of outdoor material will be located in a low area to the north within a tree grove. The Waterways and Parks Commission recommended approval of the location with two conditions.

Mr. Kayser moved to recommend approval with the two conditions listed in the staff report. Mr. Duax seconded and the motion carried. Messrs. Klinkhammer and Seymour voted no.

6. SITE PLAN (SP-1005) “ New Retail Building, 3805 Oakwood Mall Drive

Ayres Associates has submitted a site plan for a new retail building to be located at 3805 Oakwood Mall Drive (former FS Appliance). The existing building will be removed and replaced with a 10,900 square foot, three-tenant building. The parking lot will be expanded to 82 stalls.

Disa Wahlstrand, Ayres Associates, appeared in support.

Mr. FitzGerald moved to approve the site plan with the conditions listed in the staff report. Mr. Kayser seconded and the motion carried.

7. DISCUSSION “ Nonconforming Uses

Mr. Seymour requested this discussion concerning the replacement of historic nonconforming structures within the City. A recent fire partially destroyed a 6-unit structure at 310 Lake Street which is zoned R-2. The owner cannot rebuild the structure as a 6-plex, which is a local landmark, without some zoning relief. This concern would apply to all historic structures whether within a district or individually landmarked. It was the consensus of the Plan Commission that staff prepare a draft ordinance which would allow for historic nonconforming use structures to be replaced through a conditional use permit process.

8. MINUTES

The minutes of the meeting of March 15, 2010, were approved.

Joe Seymour
Secretary